FAYERWEATHER'S MILLIONS AT LAST DISTRIBUTED.

The Executors Make a "Deed of Gift" in Accordance with the Philanthropist's Wishes.

WILL THE CONTEST END?

Colleges and Hospitals Receive the Bulk of the Fortune Left by the Leather Merchant.

MR. VAUGHAN'S MEMORY POOR.

The most important feature in the contest over the millions of the philanthropic leather merchant, Daniel B. Fayerweather, was developed yesterday during the hearing before Surrogate Ransom.

The fact was brought out that on Tuesday execu B. Vaughan executed a "deed of gift" disposing of the residuary estate - valued at over \$3,000,000-which was left to them absolutely under the last codiell, and which has been the great bone of contention. They give this vast residuary estate to hospitals and colleges, some of which are legatees under the will and others not, and also increase a large number of the bequests named in the will. Although the executors do not say so in so many words, this is evidently carrying out the wishes which Mr. Fayerweather had expressed to them prior to his death.

The deed was executed in the presence of John S. Parsons and Haley Fiske, and was delivered to Stephen P. Nash, of this city, and Henry Stoddard, os New Haven, Conn., to hold for the devisees men-

This sudden start on the part of the executors is a matter that has been in contemplation and preparation for some weeks and was not an entire surprise to the contestant's counsel, Frederic R. Condert, and ex-Surrogate Rollins, and it was not made known yesterday with a view to having any effect upon the contest proceedings. TO EFFECT A COMPROMISE.

It was stated, however, by one who is familiar with the case, evidently with this deed in mind. that the contest was not likely to last much longer and that in all probability a compromise would soon be brought about. This, however, was denied by the counsel, who further stated that the "deed of gift" would not in any way influence the tremination of the contest. Another step taken was the withdrawal of the objections to the probate of the will, executed on October 6, 1884, and a decree signed mitting it to probate and providing that letters testamentary may be issued to the executors. The contest now proceeds over the four codicils, but n reality only over the first and fourth, which make the executors the residuary legatees.

So much has been said about the injustice of these executors getting this vast residuary estate that the importance of this "deed of gift" made by thom, giving away all that was left to them, can readily be understood. Prompted by a determinaion not to retain any part of the residuary estate and by a desire to make such disposition of it as will best honor Mr. Fayerweather's memory, they dispose of what shall remain, after paying all lawful fees, expenses and charges-which will be a small fortune, as follows :-

THE DEED OF GIFT. They reserve the power to make and to assent to any enlargement of the \$15,000 a year left to Mrs. Faverweather under the will, and also as to the enlargement of the provision made for Mrs. Mary W.

largement of the provision made for Mrs. Mary W. Achter and Mrs. Emma S. Drury, in case they are satisfied that it would not be against the wishes of Mr. Fayerweather.

It then says:—'We give to Mrs. Lucy J. Beardsley, wife of Morris B. Beardsley, \$100,000. We do this because of Mr. Fayerweather's letter of November 15, 1890, to Mr. Vaughan and Mr. F. R. Myrick if, except accepted, this gift is in discharge of any claim under that letter.

"We give to Miss Anna Amelia Joyce \$1,000, to Miss Anna Amelia Joyce the annuity of \$4,000 provided by the will for the period of her life instead of the period mentioned in the will. To E. M. Upham an annuity of \$1,000 for the period of his life; to George H. Blake \$1,000, E. Gould \$500, James Campbell \$500, H. J. Stone \$500, John E. Carpenter \$250, John Dixon \$500, John C. Baylor \$200 and Kate Quinn \$100, being the legacy to her of that amount bell \$500, H. J. Stone \$500, John E. Carpenter \$250, John Dixon \$500, John C. Baylor \$200 and Kate Quinn \$100, being the legacy to her of that amount left by the will and which has lapsed; Albertina C. Hortzman, widow of E. H. Hertzman, \$5,000, being the same amount as was left to him by the will; Frank H. Sellmann, \$2,000 in addition to the \$3,000 given by the will; Clara Miller, wife of George L. Miller, \$3,000 in addition to the \$3,000 given by the will; Patrick Reefe, \$200 in addition to the \$300 given by the will; Patrick Reefe, \$200 in addition to the \$300 given by the will; Owen Keefe, \$200 in addition to the \$300 given by the will; Owen Keefe, \$200 in addition to the \$100 given by the will; The Northwestern University at Evanston, III., \$100,000; Joseph Rogers, \$500.

ADDITIONAL EXCUEETS.

"The said annuittes shall commence upon Mr. Fayerweather's death. All the other amounts heretofore mentioned shall draw interest from the expiration of one year from Mr. Fayerweather's death.

"After payment in full as aforesaid we give to

expiration of one year from Mr. Fayerweather's death.

"After payment in full as aforesaid we give to Mount Sinal Hospital \$15,000, in addition to the \$10,000 given by the will; the Presbyterian Hospital in the city of New York \$25,000, in addition to the \$25,000 given by the will; the Woman's Hospital in the State of New York \$200,000, in addition to the \$10,000 given by the will; the Manhattan Eye and Ear Hospital \$20,000, in addition to the \$25,000 given by the will; the New York Eye and Ear Instrumery \$25,000; the Manhattan Dispensary, at Tenth avenue and 181st street, New York city, \$25,000; the Montefore Home for Chronic Invalids \$25,000; the Methodist Hospital of Brooklyn, \$25,000; the Methodist Hospital of Brooklyn, \$25,000; in addition to the \$25,000 given by the will; the New York Cancer Hospital \$25,000, the Society of St. Vincent De Paul in the city of New York \$50,000.

\$25,000, in addition to the \$25,000 given by the will; the New York Cancer Hospital \$25,000, the Society of St. Vincent De Paul in the city of New York \$50,000.

FOR THE ENDOWMENT OF REDS.

"Each of the gifts mentioned in this article is to be used for the endowment of beds or some other use which in the judgment of the officers of the institution is best fitted both to be of the greatest service and at the same time best to perpetuate Mr. Fayerweather's memory.

"After payment in full as above we give to Union College, at Hoheneutady, \$100,000; Haverford College, at Haverford College, Post Office, Montgomery county, Pa., \$60,000; the University of the City of New York, \$100,000; the University of Pennsylvania, \$50,000; Harvard College, at Cambridge, Mass., \$100,000; Harvard College, at Providence, R. I., \$50,000; Harvard College, at Cambridge, Mass., \$100,000; wealeyan University, at Providence, R. I., \$50,000; harduiton to the \$100,000 given bythe will; Princeton College, \$100,000; Wells College, at New Brunswick, N. J., \$190,000; Wells College, Athoroa, \$50,000; Elmira Female College, \$50,000; Vassar College, at Poughteepale, \$50,000; Barnard School for Women in the city of New York, \$100,000; the Cooper Union, for the advancement of science and art as a permanent fund the income to be used so far as necessary for the support of the Women's Art School, \$200,000; Bhattuck School, at Faribault, Minn., \$25,000; Lafayette College, at Easton, Pa., \$50,000 in addition to the \$50,000 given by the will; Maryville College, \$50,000 in addition to the \$50,000 given by the will. Maryville College, \$50,000 in addition to the \$50,000 given by the will. Maryville College, \$50,000 in addition to the \$50,000 in addition to the \$60,000 given by the will. Maryville College, \$50,000 in addition to the \$60,000 given by the will the propose of the college. The scholarships or other use which in the judgment of the authorities will be of the greatest practical benefit, the mode of use to be subject to our approval. A separate acco

Hospital, and until used for that purpose to be kept as an invested fund, the income to be used in providing the benefits of the hospital to women who in whole or in part are unable themselves to meet the expense.

"The foregoing afts are subject to our powers as executors, to our rights as executors, devisees and legatees to turn the general estate into money, to the payment out of the general estate of the collateral inheritance tax or any other tax provided by law, and are subject further to our rights in the event of any question of identification or designation of either of the foregoing dones to determine the same.

event of any question of identification or designation of either of the foregoing donees to determine the same.

"We execute this instrument recognizing that there is pending a contest in proceedings for the probate of Mr. Fayerweather's will and recognizing further that if such contest shall not prevail a question may be made about our legal rights as devicees and legatees.

"We assume no responsibility for the result of such contest or of any such question, or for the acts or omissions of each other or for the amount of or title to any of said residuary estate. Our object is each for himself to give away whitever may come to us as residuary devisees and legatees under Mr. Fayerweather's will. This instrument is to have only that effect."

This instrument, showing Executor Vaughan's indebtedness to the estate, in accordance with his testimony, was also executed:—

"I, Henry B. Vaughan, one of the parties to the foregoing instrument, in consideration thereof and of the intention and purpose of the instrument, do declare that notwithstanding the will of Mr. Fayerweather I leave myself debtor to his estate in the sun of \$500.000, loaned by Mr. Fayerweather to me. That is to say, I bind myself to pay that loan according to the terms thereof to Mr. Fayerweather a estate without any deduction or difference by reason of the provision for me contained in his will."

Mr. Vaughan was called as a witness yesterday by the Surrogate. He had known Mr. Fayerweather for many years and regarded him as his best friend.

Mr. Vaughan testified that Mr. Fayerweather had told him before he died that he was one of his ax-

Were you supprised at that? A. I can't say that I asked him the reason for it, but I don't know

states making kitch and Bulkley resutanty regates it wasted to know more about it.

Mr. Vanghan said that from conversations which he had with Mr. Fayerweather he understood that he wanted to leave the bulk of his estate to institutions. When he found that Messrs, Ritch and Bulkley were residuary legates he desired to ascertain if that was the proper way for the will to be made to carry out Mr. Fayerweather's wishes. The latter gave him a written order to Mr. Ritch for the delivery of the original will and codicis. Then Mr. Vaughan consulted Mr. Prescott Hall Butler, of the firm of Evarts, Choate & Beaman, who will probably be called as a writtess in the case. When asked if he had not called Mr. Ritch "a secoundrel," the witness said he could not remember.

"And you never expressed a bad opinion of Mr. Ritch in any way?"
John L. Parsons objected to this question, but the Surrogate allowed it, but Mr. Vaughan's reply was that he could not remember, although he had had a bad opinion of Mr. Ritch. When he gave Mr. Ritch the note for the delivery of the will and codicils he turned as white as the paper the note was written on.
Later Lawar Butley Accessed.

was written on.

Later Lawyer Butler drew up a draft of a codicit, to change the residuary clause in the other papers. It was shown to Mr. Fayerweather and approved by him and then it was drawn up in legal form. It was to have been executed on November 11, and Miss Joyce and the two doctors were to have been the witnesses. Mr. Vaughau received it and put it in the safe deposit vault.

Q. What became of that document? A. It was destroyed on Saturday, November 13, by Miss Amelia Joyce, at the request of Mr. Payer weather.
Q. Who suggested the destruction of that paper? A. I think I did.

think I did.

After the codicil was drawn up by Mr. Butler Mr.
Vaughan could not remember whether Mr. Fayerweather had said he did not want Mr. Ritch admitted to his presence again. Mr. Ritch had written
a letter to Miss Joyce, which she wanted Mr. Fayerweather to read, but he would not allow it. The
letter was put in evidence.

in to feel that his wishes will be carried out to the fer.

I would be a misfortune, indeed, to ris to lose his concess after so many years through any misundorstand; now. The will and codicils provide carefully for the stitutions in which he was interested and for his relatestantions in which he was interested and for his relates and friends to whom he was attached, and I know at atthe time the papers were drawn the reasons for the paragraph were considered and approved by him, so believe boing to prevent any contest.

write thus fully to you because you have known of . Payorweather's affairs, and I believe that you, as il as he, believe that I have only tried to do my duty, at any time you or Mrs. F. would like to see me I will. Sincerely yours,

THOMAS G. RITCH.

After the death of Mr. Fayerweather Mr. Vaughan got an order on the Safe Deposit Company to examine the effects of the deceased. He found among them his notes for \$500,000 due to Mr. Fayerweather. A portion of this was the outcome of a business transaction, but about \$250,000 was money which he had reluctantly berrowed from Mr. Fayerweather. The latter evidently had more ready money than he knew what to do with and insisted that Mr. Yaughan needed to increase his business and to borrow money. When it was pressed upon him he took it. Mr. Fayerweather wanted the interest fixed at a nominal sum, but he insisted upon paying six per cent.

This letter was also put in evidence:—

Novemen 13, 1880.

Dran Miss JOYCE-Will you please explain to Mr. Fayerwasther the papers from Mr. Ritch. At first Mr. R. stated that he would take the paper to Mr. F., but I reminded him that the lester read to give them to me and he said he would do it. He grow, however, as white as the paper upon which I am writing. I will deliver the second leiter to morrow. There is, however, but little use in this, as I am convinced from his manner that Mr. Ritch knew exactly what he was doing. Truly yours, HALL & VAUGHAN.

Mr. Vaughan, in answer to Mr. Parsons, stated that his doubte about Mr. Ritch were all removed on the Friday provious to Mr. Fayerweather's death, when he became convinced that he was all right. He was then asked if he had any interest in the residuary estate and he answered in the negative. The fact was then brought out that the executors had executed the deed referred to.

Thomas G. Ritch, the lawyer and friend of Mr. Fayerweather for twenty years, was called and said that for many years he was aware of the fact that Mr. Fayerweather intended to leave his monney to educational institutions. His examination will be resumed to day.

NEWS NOTES FROM ROUND ABOUT. Twenty-five men in the box factory of the Chopin Hall Lumber Company, at Fourth avenue and Ogdon street, Newark, went on a strike yesterday because of a reduc-tion in wages.

Mrs. Marian Poyaher, seventy-eight years eld, of No. 35 Washington street, Newark, lay down on a sofa for a few moments yesterday. When a grandchild was sent to call her to dinner it was found that the old lady was dead.

The employes of the Florence Iron Works, near Bordentown, N. J., have been notified that unless they hereafter totally abstain from using liquecting will be discharged. Since receiving this notice the employes have organized a temperance society.

Thomas Dugan, seven years old, of No. 7 Spruce atract, Paterson, N. J., looked out of an elevator in the Granite Mill yeaterday while it was rapidly ascending. His head struck against the floor above with such force that the skull was crushed. He will probably dis.

A tank containing several barrols of oil exploded in the publication office of the New Empland Medica Monthy, and The Preceipilos, at Damburg, Conn., reveserday. Em-ployers had to escape the flames by jumping from a sec-ond story window. The ontire March edition of the Mouthly, together with the office, was destroyed. Loss \$12,000.

The scheme of the Hudson County Board of Fresholders to purchase a tract of land at Snake Hill came up yesterday before the Master in Chancert. Briefs will be submitted at once to 85 Supreme Court.

New York, one part.

You find the Cristoff tions.

An application was made in the Orphan's Court at Newark yesterday for the remeval of Engane A. Bike. one of the three executors of the estate of Mrs. Lizzie M. Dike, his aunt. It is alloged that he two years Engene has become \$53,000 short in his accounts. Judge Kirktalled the Fayerweather Pavilion of the Women's an inventory.

WAS HER CUTE SELF.

She Now Confesses That She Robbed Her Employers and Concocted the Story Told to the Police.

TIED AND GAGGED HERSELF

Joe Kelly, Her Brother-in-Law, Had Nothing to Do with It-The Girl Discloses the Hiding Place Where the Stolen Money Was Secreted.

The alleged robbery by a masked burglar at the residence of Frederick Ahlers, on the corner of Court and Union streets, Brooklyn, last Thursday night was cleared up yesterday by the confession of Tillie Hahn, the servant, who said she robbed the house herself and then concocted the yarn

She exonerated her brother-in-law, Joseph Kelly, who is now in Raymond Street Jail because of ner statement that he was one of the burglars, and she also took the police to the woodshed in the yard, where the \$100 that was taken from Mrs. Ahlers' trunk was found wrapped in brown paper. The police doubted the girl's story when they were informed of the alleged robbery on Friday.

As reported in the HERALD, Mr. Ablers and his wife went to the theatre, and on their return they found Tillie, their servant, lying on the parlor floor in an apparently sami-conscious state, and bound and gagged. The handkerchief was removed from the girl's mouth by Ahlers, and she suddenly revived and told a remarkable story of how, while she was sitting at the dining room table reading, she was suddenly confronted by masked burglars, who, after they bound her hands and stuffed a handkerchief into her mouth, carried her into the parlor and laid her on the floor. They then ran-sacked the room and secured \$100 out of Mrs. Ablers' trunk. SHE TOLD DIFFERENT STORIES.

When the police questioned the girl she contradicted herself, and finally became so confused that she acknowledged that no masked burglars had visited the house, but said her brother-in-law, Joseph Kelly, living at No. 447 West Thirty-seventh

Joseph Kelly, living at No. 447 West Thirty-seventh street, this city, had committed the theft. She said she helped him to bind and gag her, so as to leave the impression that masked burglars had done it.

Kelly was arrested and stoutly proclaimed his innocence. He said he could prove an alibi, and that he did not leave his house on the night of the alleged robbery. The girl clung to the story that Kelly robbed the house and he was committed to Raymond Street Jail by Justice Waish last Monday, despite his declaration of innocence.

Kelly's innocence was established yesterday morning after the girl was brought from jail, where she was held as a witness, and olled with questions by Captain Leavey. She gave way under the zevere cross-questioning and admitted the untruthfulnes of her previous statements concerning the robbery.

"I stole the money myself," she began, as her eyes filled with tears. "No one else helped mo, and my brother-in-law, Joe Kelly, is entirely innocent. He, was not near the house on Thursday night, and I do not know why I should have done it. Mrs. Ahlers has always been kind to me since I have been with her. The reason I accused my brother-in-law was that I wanted to shield myself. On Thursday night after Mr. Ahlers and his wife and mother went to the fheatre the thought came into my head that I could buy a good deal with the money that I knew was in Mrs. Ahlers' trunk.

"I got a lamp and went to hes bedroom, where I broke the hinges off the trunk and then took the money. To make believe that robbers had been in the house I went to my own trunk and scattered the contents about the room. I knew that Mr. Ahlers would not return until eleven o'clock, so I sat down and bound my limbs and then waited until I heard Mr. Ahlers and his wife entering the house. I put the rope which I had already tied around my hands, placed the handkerchief in my mouth and then twisted my wrists until the rope was tight. I then threw myself on the floor where I was found.

"I knew it would not do to keep the money I took out of Mrs. Ahlers' trunk in my pocket, so I took it into the woodshed, where I put it under a loose board in the floor. That is the true story, and again I say my brother-in-law is innocent."

WHERE THE MONEY WAS BECREAED.

After the girl told her stery she was taken to Mrs. Ahlers' residence by Captain Leavey. She led the police captain to the woodshed and lifted up a board, under which the money lay wrapped in paper.

The money was returned to Mrs. Ahlers, who was glad to get it bock.

paper.

The money was returned to Mrs. Ahlers, who was glad to get it back.

Unless some one furnishes ball for Kelly he will be forced to stay in jail until March 6, at which time his examination on the charge of burglary the girl made will take place.

ROBBED THE NAVY YARD. JUNEMAN MULLIGAN RETURNED FROM ENGLAND

AND WAS ARRESTED AS A "PENCE," Junkman Martin Mulligan, who escaped to England in September last while out on ball awaiting trial for receiving articles stolen from the Navy Yard, was arrested in Brooklyn yesterday and sent

to Raymond Street Jail. The arrest was made by Deputy Marshal Biggart. The accused offered to make a confession of his misdeeds when taken before Assistant District At-

The accused offered to make a confession of his misdeeds when taken before Assistant District Attorney Cakey; but as he made the offer conditional upon his being guaranteed immunity from prosecution it was declined.

The authorities at the Navy Yard prior to the arrest of Multigan in August last had frequently missed various articles from the shops in the yard. A large screw intended for one of the ships was found at a junk dealer's pince in this city. The proprietor of the shop said he had purchased it from Multigan. The detectives discovered that Multigan purchased the screw from other men, who stole it, and they arrested him.

He pleaded not gulty and built was fixed at \$750, He then jumped his ball and went to England. In Leeds, on the day following his arrival, he was robbed, he says, of \$200 and his watch. His wife became sick, and being without means they had to seek sholter in the Poorhouse.

He wrote the American Consul at Liverpool, he told Mr. Oakey, and offered to return to the United States and give evidence for the government, but no attention was paid to his letter. Then he determined to return to Brooklyn and to throw himself on the mercy of the authorities.

It is said that the men he implicates as confederates are employed of the government. He will be given a hearing on Tuesday next.

IT WOULD STOP THE CARS. A BROOKLYN PAILROAD COMPANY DORSN'T WANT

THE CITY TO BUILD A SEWER. Justice Bartlett, of the Kings County Supreme Court, granted yesterday to the attorneys of the Brooklyn City Railroad Company an order to show cause, returnable on Saturday next, why the city authorities should not be verpetually enjoined from interfering with the tracks of the Greene and Gates avenue line.

The construction of the big sower for the relief of the flooded districts will disturb the company's

of the flooded districts will disturb the company's traffic on Greene avenue, between Fulton and Frankfin avenues. The order and complaint were served on Mayor Chapia and turned over by him to the torppration Counsel.

The amidavits of President Lewis, of the company, and Thomas May, civil engineer, state that the Greene and Gates avenue line is the most remitterative of the company's lines, carrying an average of 15,460 passengers daily.

President Lewis stated that City Works Commissioner Adams and Chief Engineer Van Buren had told him that it would be necessary to sink three shafts on Greene avenue and that the work of construction would last a year, and that car traffic on the avenue must be suspended.

Diagrams were annexed to the order showing a nim by which the sewer could be constructed without interfering with the cars. Commissioner Adams said yeaterday that the changes in the sewer plans would entail an additional expenditure of \$50,090.

master to bite her. A policeman arrested Hearn for assault and he was locked up with his dog.

Ji he animal was in his arms when he was arraigned in the Adams Street Police Court yestorday morning. He pleaded not guilty and Justice Walsh adjourned the examination until March 3.

The Society for the Prevention of Cruelty to Animals will also prosecute Hearn.

WILL FIGHT FATHER YODYZSUS. THE PRIEST WILL BE PROSECUTED AND FORCED

TO ACCOUNT FOR CHURCH PROPERTY. Bishop Loughlin's residence was the scene yesterday afternoon of a spirited meeting regarding the affairs of St. George's Polish Lithuanian Church, on North Tenth street, Brooklyn, over which Father Yodyzsus presides.

The committee appointed at the mass meeting of Father Yodyzsus' friends and opponents, last Sunday, met the Bishop by appointment. Prior to their visit to the Bishop's House the committee called upon District Attorney Ridgway and in voked his aid in getting the church property, now heid by deed by the priest, back under the control of Father Yodyssus' congregation.

The information that Bishop Loughlin received was that Father Yodyssus would not relinquish his hold on the church property until he had been given \$6,000, and he would then also leave Brooklyn foreyer.

forever.

Although the committee after their conference with the Bishop would vouchsafe no information, I learned that the Bishop was so exasperated at the turn of affairs on the part of Father Yodyzaus that he declared the priest ought to be in Raymond Street Jail instead of enjoying his liberty. He authorized the committee to leave no stone unturned in their efforts to oust the priest from the church and regain possession of the church property.

church and regain possession of the church property.

When the committee left the Bishop they met and conferred with Assistant District Attorney Maguire and Lawyer Samuel T. Mandox, the latter Father Yedyzsus' counsel in the several charges pending against the priest. The priest, it is said, instructed his lawyer to negotiate on a financial basis for the return of the church property to the congregation. Father Yedyzsus was willing to give up the property if he was guaranteed \$6,000. The committee absolutely refused to piedge him a penny, and said the church property and the private dwelling on Grand street were purchased from money collected from the parisheners and Father Yedyzsus never had a right to the fitte.

No agreement was reached, and the action instituted by the Bishop's lawyer in the Supreme Court on Tuesday to regain possession of the church property will probably now be brought to trial.

trial.

I was told last night that the District Attorney would move in the matter to day, and ere long the Court of Sessions will deal with the priest.

While the Richop has requested the priest to discontinue celebrating mass until the assault charges against him have been tried, Father Yodyzsus continues to collect money, and on Monday went to New Jersey where, it is said, he collected nearly \$500 for special Enter confession. \$500 for special Easter confession, a service of his own, for which he charges each of his parishoners \$6.

TALMAGE'S NEW TABERNACLE. THE NECESSARY MONEY HAS BEEN RAISED AND

IT WILL BE FINISHED IN APRIL. Builder Charles T. Wills' lien on Dr. Talmage's big new Brooklyn tabernacle has not stopped work on the structure by any means, and Treasurer John be ready for occupancy in April.

When Mr. Wills tied up the Russell Sage fund and stopped his building operations the trustees took charge of affairs. They say that the money excharge of affairs. They say that the money expended in finishing the building will come out of Mr. Wills' contract price, and all things considered there promises to be the largest kind of a legal battle over the complications later on. The work of completion is progressing rapidly.

The ceiling is finished, and workmen were engaged yesterday in taking down the staging to make way for the carpenters to lay the flooring and put in the pews that have arrived from Clevelsind, Ohio. A big force of painters will begin their labors soon.

Dr. Taimage and his faithful trustees are spending \$4,000 a week on the work, and will expend. \$35,000 before the dedication, which will take place during the first week in April. The money is raised from the banks by the trustees signing each others' notes. The work of putting in the big \$30,000 Jardine organ—the second largest in America—will begin next week. The organ, which has been fully described in the HumalD, has a total of sixty-six stops and 4,448 pipes.

DIDN'T WANT TO DIE. MRS. DUICHMAL WAS SUFFERING FROM TOO

MUCH WILLIAMSBURG BEER. Mrs. Celia Dutchmal, who was prevented by the police on Tuesday night from throwing her three children into the river, at the foot of North Sixth street, Brooklyn, and then throwing herself, as reported in the HERALD, was arraigned in the Lee Avenue Police Court yesterday.

She denied that she intended to harm either her self or her children. She said she drank some beer Tuesday afternoon, which made her dizzy. When her husband locked her out she concluded to frighten him, and told the police she wanted to kill her children and then herself.

Dutchmal was in court and said his wife's story of poverty and ill treatment was untrue. He had been out of work for some time, but recently he obtained employment and was able to support his family.

family.

Dutchmal added that his wife was dissipated and often locked him out of the house. She was also constantly in trouble with neighbors, who had her arrested several times.

Justice Kenna committed her to Raymond Street Jall for examination to-morrow.

The children did not look as if they were starving.

AN INSULT, A BLOW, A DOLLAR FINE. Paul S. Tunison, of No. 193 Gates avenue, Brooklyn, charged with assaulting Leo T. Cone, superintendent of Namm's notion store on Fulton street. Brooklyn, was found guilty and fined \$1 by Justice Walsh in the Adams Street Police Court yesterday. The assault was the outcome of an alleged insult

The assault was the otteome of an alleged insult offered by Cone to Mrs. Pierre Tunison, mother of young Tunison, at Namm's store several weeks ago.

Mr. Tunison elsimed in court that Cone's manner when he cailed on him indicated that he was about to strike him, and in his own defence he struck the first blow. He believed that the lisuits offered his mother by Cone justified his assault on him. As he acknowledged striking the first blow he was found guilty and fined \$1-

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MORE PROPERTY FOR AN ASYLUM.

The Roman Catholic Orphan Asylum trustees yesterday purchased thirty-seven lots on the block bounded by Albany and Troy avenues and Prospect place, in the immediate vicinity of the asylum. The purchase was made by Deputy Surrogate Joseph Carroll, in his chapacity as a member of the Board of Trustees of the orphan asylum society. The price paid was \$21,000.

The Property, which will be built upon at an early day, is needed to meet the increased demand of the present asylum for additional accommodations. The land belonged to the heirs of the Davice seated, and was sold at public auction in tole & Murphy's auction rooms on Fulton street, near Fulton, was a so one up at auction and was bought in the first blow he was founded by Albany and Was sold at public auction in the land here store, testified as to the fire there on January 20. He assisted in putting out the fire. He said that on that occasion Miss Birch had her store, testified as to the fire there on January 20. He assisted in putting out the fire. He said that on that occasion Miss Birch had her store, testified as to the fire on January 20. He assisted in putting out the fire. He said that on that occasion Miss Birch had here to the set of the fire. He said that on that occasion Miss Birch had here to the fire on January 20. He assisted in putting out the fire. He said that the to that on that occasion Miss Birch had here to read occasion Miss Birch had here to read on Assistance in the fire. He said that the total that on that occasion Miss Birch had here to

Joseph Carroll, in his capacity as a member of the
Board of Trustees of the orphan asylum society.
The price paid was \$21,000.

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District Attorney Renjamin. Florence's lawyers coice a Murphy's auction rooms on Fulton street, the Davies homestead, on Glinton street, near Fulton, was a so but up at auction and was bought in for \$13,100 by two of the hears—A.C. Whooler and a member of the firm of Davies Brothers.

MANGLED BY A RAILROAD TRAIN.

Jimmy Gorman, the twelve-year-old son of Gateman Thomas Gorman, was run over and horribly mangled by engine. No. 47 of the train due at Murray Hill station, Flushing, yesterday morning. The boy's right leg was cut of, his wrist was fractured and painful wounds were inflicted about the head. Drs. Maynard and Bloodgood were summan-neal, but they could do Hitle to alleviate his sufferings. The unfortunate boy was conscious and said:— "I hope God will help me."

He was removed to the Flushing Hospital. It is not expected that he cau recover from the shock. bly mangled by engine. No. 47 of the train due at Murray Hill station, Flushing, yesterday morning. The boy's right leg was cut off, his wrist was fractured and painful wounds were inflicted about the head. Drs. Maynard and Bloedgood were summaned, but they could do little to alleviate his sufferings. The unfortunate boy was conscious and said:—
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ALL AROUND BROOKLYN. Frederick Krug's hakery, No. 57 Union street, was damaged by fire to the extent of \$880 by the boiling over of a pot of grosse yesterday. John bloer, a workman, was severely burned while trying to extinguish the blaze.

A coroner's jury yesterday held John Collins re-solution for the death of James Finnagan. Collins and Flanagan fought with knives at thoir boarding house, No. 118 Elizabeth street, Fobruary 14, and Flanagan lided from the state wounds.

HAS HYSTERICAL MANIA.

Dr. Wills, the Family Physician, Testifies at the Trial of the Girl Milliner in Islip.

SHE MAY BE DISCHARGED.

Detective Newcome, One of the Principal Witnesses for the Prosecution, Fails to Appear in Court

Florence Birch, Islip's girl milliner, who is under arrest charged with having set fire to her store on January 20, was before Justice of the Peace Clock all yesterday and the greater part of the evening. The case was closed at half-past nine o'clock, but Justice Clock reserved his decision for twenty-four

The impression prevails in Islip that the girl will be discharged, owing to the faiture of the prosecuwitness, Detective Newcome, and also b the strong testimony given by Dr. H. B. Wills, the Birch family physician.

At the opening of the evening session Dr. H. B. Wills was called to testify as to Miss Birch's mental condition. He said he had been the physician of the Birch family for years, and that he had treated Miss Florence a number of times for functional

In answer to a question by Lawyer Lawrence, Dr. Wills said he had examined Miss Birch within the last few days and had found her suffering from hysterical insanity. He had examined her also on Tuesday night and found her to be suffering from delusion. Her answers to his questions were dis-

connected and not satisfactory. Dr. Wills attributed all these things to functional disorders, which had probably existed for several months. The preliminary symptoms of the girl's disease were manifest in November, 1889. Dr. Wills declared it to be a well known medical fact that while suffering from such disorders women had often been known to commit crimes, such as arson and murder. Arson was a crime particularly

affected by females thus deranged. Dr. Wills was asked to look at Miss Birch and Wood and the members of the Board of Trustees | state whether she was suffering from hallucinations are positive in their assertions that the edifice will at the present moment. He took a good look at be ready for occupancy in April. peculiarities of the disease that the patient had often rational intervals. For the first time since her arrest Florence Birch gave way entirely and sobbed aloud. Her father covered his face with his hands to conceal the tears which could not be

Lawyer Lawrence eloquently summed up for his client, and the applause which followed his effort indicated very clearly what the sympathies of the

crowded court room were. By cock crow yesterday Islip was stirring and eager for the sensation of the day. No family of any consequence in the township was unrepresented in the court room, and as most of these were either Clocks or Smith it was no difficult matter to keep account of them. Miss Birch's lawyer was named Smith, and the first witness he called was Jacob Smith, and the Justice himself was an excellent representative of the strength of

the Clock family in Islip. The ladies of Islip turned out in force and most

and Florence had replied that she hadh the sightest idea.

Town Committeeman W. S. Velsor was called to
the shad and asked to identify Florence's handwriting in her written confession to Detective Newcome, the object being to lay a foundation for introducing the confession in evidence.

Florence's lawyers made a determined struggie
against this and the paper was ruled out.

This was the very gist of the poople's case, and
the excusion of the paper because the handwriting could not be properly proved took the heart
right out of the District Atternsy. He wanted
the case adjourned for a couple of days until he
could get Mr. Newcome, who, he said, was in Boston.

come would reach Islip at six o'clock. The hearing was then adjourned until Mr. Newcome's arrival.

BRUTAL POLICE AT KEARNY.

ITS TOWNSPROPLE INDIGNANT AT THE OUTRAGES

BY THE CLARK MILLS' GUARD, The Township Committee of Kearny, N. J., have been aroused to unusual activity by the nu merous complaints of the townspeople about the unnecessary violence and generally bad conduct of the Jersey City policemen who are stationed at deputy sheriffs at Clark's thread mills. In his monthly report to the committee on Tuesday night Justice and Chief of Police Turnbull called at tention to several acts of brutality, and said inno cent people had been dragged into the mills and sent to jail in Jersey City without a local hearing and that the women of the community had been

forced to blush at the indecent language used. The committee have instructed Town Counse. Edward Kenny to take steps to protect the rights of the townspeople, and the committee have de cided to make written and personal appeals to Governor Abbett and Sheriff McPhillips for an investigation of the charges.

It is claimed that on Tuesday, while Edward Sargeant was passing the mills with a load of mouldings on his shoulder, a policeman hit him in the mouth with his fist for not moving fast enough.

enough.
It was said yesterday that later on the same day an aged immats of the New Jersey Soldiers' Home at Kearny was prodded so hard by a policeman's club that he fell and cut his head.
CLUBBURG A WOMAN.

club that he fell and cut his head.

CLUBBING A WOMAN.

The most outrageous assault reported, however, was by Mrs. John Lord, whose husband keeps a saloon at President street and Passaic avenue. When two partly inebriated young men avowed their initantion of going to the mill she persuaded them to return pescably home and followed to the mill gate to see that they did not atop there.

When they had passed she loitered a moment to look through the gates, and then, she says, a pollocuman rushed out, grabbed her after a liberal use of his heavy club and rushed her into the mill office. There she was asked what she was doing outside, and replied that before she could do anything she was hit and dragged inside. A few minutes later she was hustled into the street and orderedgaway.

outside, and replied that before she could do anything she was hist and dragged inside. A few minutes later she was hustled life the street and orderedgaway.

Her husband and others are very indignant over the affair, and as the woman has been ill for nearly five months the rough treatment may seriously affect her. Unloss the police are less hasty in the future it is feared that the people will become violent toward them.

Ten of the boys in the frame department, it became known yosterday, were discharged Tuesday night because they refused to do duty in the department with the "scab" spinners.

The "scabs" are again at work on the Newark side of the Passaio filver, and will not be ferried across to Kearny again until Saturday.

TO SUE THE COUNTY FOR DAMAGES.

The Clark company has a force of men at work repairing the damage to its mills caused by stone throwing during the riots, and when the exact amount of expenditures is ascertained will present the full claim to Hudson county for settlement.

It is estimated that in broken windows, damaged stock and loss of time, because of the other damages, the bill for the county to settle will be close to \$50,000. The law in such cases is explicit and there is no way for the county to settle will be close to \$50,000. The law in such cases is explicit and there is no way for the county to avoid payment.

The Kearny Township Committee have authorized and instructed Chief Turnbull to compile a list of the cases of ourrage against citizens by the Sheriff's deputies, and armed with this will go to Trenton and demand an official investigation by the State authorities.

B. W. Terlinde, who was arrested on Monday night, as told in the Herkalp on Tuesday, and subsequently admitted to ball in \$1,000 on a charge of inciting to riot and being drunk, denies the latter assertion and says that the only way in which he incited riot was by saying "Shame!" to two policement, who were brushly assaulting Mrs. Sheppard. He will bring civil suit against Hudson county for damages.

Subscriptio

RECOGNIZED AS ADA RAUSCH.

the clock ramily in felip.

The ladies of lelip turned out in force and most of them, especially the young and pretty ones, made no bones about expressing their belief in Miss Birch's guit.

Justice Clock took the testimony of the witnesses in Justice Clock took the testimony of the witnesses in Mr. Birch and his elder daughter and Deputy Sherif Rowland and Miss Florence, the fair culpit, were late in arriving.

Forcence took her seat in court next her sister with an air of expectancy.

LOUD APPLAUSE IN COURT.

The sentiment of the village was with Florence throughout the day. The appeals of her counsel were halled with loud applause, which Justice Clock made no effort to check. Even when District Actorney and lawyers for the defence got into a wrangle the people invariably showed their animus by applauding the sarcasms of Miss Florence's lawyer and suffering the aspersions of the public prosecutor to pass unnoticed.

The sentiment of the village was with Florence in the second precipital to talk even when she was sent to jail, and the made a runh for the door, but Ohlef of Police Hopper detained her, having recognized her as Ada Rausch, who a year ago was arrested in the second precipital to talk even when she was sent to jail, and the second precipital to talk even when she was sent to jail, and the property of the sellipers immensely. He wanted his dient let go at once, and wanted likewise many other things which he didn't get.

Mrs. Smith, therefore, had Mr. Harry F. Lawrence to help, him yesterday. His conduct of the case was interspersed with occasional elequent little addresses to an imaginary jury, which caught the didn't get.

Jacob R. Smith, who can alway and the second precipital and derived the didn't get.

Jacob R. Smith, who can be a proper to proper to be a didn't be a didn't get.

Jacob R. Smith, who can be a proper to be a didn't be feever, who have a great and of the washed him of the was to min in Germany, and the first proper to be

TROUBLE IN THE SHEEPFOLD

SOME OF PASTOR PALMER'S FLOCK SAY HE IS TOO ATTENTIVE TO WIDOW DECUMBUS. There is a war in St. John's colored Methodist Episcopal Church, in Newark, N. J., which may resuit in a bad break in the congregation. trouble dates back to last summer. Pastor W. R. A. Palmer, an unusually wall educated young colored man, took the church three years ago and boarded with Mrs. Amelia Porter at No. 18 Scott street. When he returned from a three weeks' va cation last summer she charged him \$53 for board

cation last summer she charged him \$53 for board and room rent during his absence. He paid it under protest and went to board at No. 21 Scott street with Mrs. O. H. Decumbus, a widow.

Since then the Forters and others have been against him, and oven charge him with showing a great deal of affection for the widow Decumbus. Last Sunday night Mrs. Porter and Mrs. Decumbus had a tilt in the church, and for a time the matter was lively, and anything but complimentary were the terms which were harded from one to the other, but through it all the pastor upheld the widow Decumbus.

Some of the cider members of the church have recently left because the young pastor believed too much in parties and sociables, but otherwise no fault was found with him, and the church is more prosperous than ever. A meeting will shortly be held to arrange some settlement of the trouble. Should this fail there will probably be a division in the church.

DANGEROUS POLES AND WIRES. THEY FORM THE SUBJECT OF A PRESENTMENT

BY THE HUDSON COUNTY GRAND JUBY. The Hudson County (N. J.) Grand Jury handed a resentment yesterday to Judge Lippincott in the County Court House at Jersey City. It interests the telegraph and telephone companies, and copies of it will be sent to them. The presentment is as follows:—

follows:—

If the Grand Inquest of the present December term, 1830, respectfully present:—That for many months pass the tolograph poles and wires of the Western Union Telegraph tongany and of the Bell Telephone Company in many places in Hudson councy have been and still are a source of damper and cause of damage and injury to the persents and property of our people. Wires loose and dangling in the air or strown on the ground lave interfered with travel and caused damage and inconvenience to pedestrians and occupants of vehicles, as have also fallon poles which, through return ease immediate patient to stand the strain put upon them. We respectfully request that the Court cause immediate patient to be served upon the two companies named in order that prompt measures may be taken by them to end the nulsance. shafts on Greene around and that the work of each of the state of the